

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN CIVIL LIBERTIES UNION, et
al.,

Plaintiffs,

v.

ALBERTO R. GONZALES, in his official
capacity as Attorney General of the United
States,

Defendant.

Civil Action No. 98-CV-5591

**AGREED PROTECTIVE ORDER GOVERNING CONFIDENTIAL
INFORMATION OF THIRD PARTY, SYMANTEC CORPORATION**

Upon the consent of the parties and third party, Symantec Corporation ("Symantec"), as evidenced by their signatures below, and for good cause shown, it is hereby ordered that:

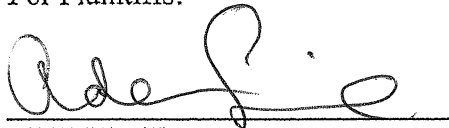
1. Documents produced by Symantec pursuant to the American Civil Liberties Union's July 28, 2005, subpoena shall be treated as subject to the Protective Order entered by this Court in this case on July 6, 2005, with the additional safeguards that:

- (a) any materials that Symantec has marked as "Confidential" may be shared by plaintiffs with the persons listed in subparagraph 4(c) of the Court's Protective Order only if each such person declare that he is not an employee of any maker of any product that competes with Norton Internet Security™ and has not worked, is not presently working, and has no present intention to perform work related to any product that competes with Norton Internet Security™;

- (b) any materials that Symantec has marked as "Confidential" will not be disclosed to more than counsel for the American Civil Liberties Union, their co-counsel, Latham & Watkins LLP, the Department of Justice, and their paralegals, clerical, and other assistants who have a need therefore in connection with this action under subparagraph 4(a) of the Court's Protective Order; and
- (c) prior to disclosure of any materials that Symantec has marked as "Confidential" to persons described in subparagraph 4(b) of the Court's Protective Order, (i) the plaintiffs will notify Symantec of the identity of the persons described in subparagraph 4(b) who need to receive the documents and the reason why the disclosure is necessary; (ii) Symantec shall have five business days to notify plaintiffs if Symantec objects to the disclosure; and (iii) if such objection is made, the documents shall not be disclosed to the persons unless plaintiffs obtain an Order from the Court permitting such disclosure.


Dated: February 3, 2006
SO STIPULATED AND AGREED:

For Plaintiffs:



ADEN FINE
American Civil Liberties Union Foundation
125 Broad Street
New York, NY 20004
(212) 549-2500

For Defendant:



JOEL MCELVAIN
Trial Attorney
United States Department of Justice

Civil Division, Federal Programs Branch
20 Massachusetts Ave., N.W.
P.O. Box 883
Washington, D.C. 20044
(202) 514-3378

For Third-Party Symantec Corporation:



MICHAEL P.A. COHEN
Heller Ehrman LLP
1717 Rhode Island Ave. NW
Washington, D.C. 20036
(202) 912-2515

SO ORDERED:

HON. LOWELL A. REED, JR.

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2006, a true and correct copy of Agreed Protective Order Governing Confidential Information of Third Party, Symantec Corporation was filed electronically via the Court's ECF system, through which a notice of the filing will be sent to:

Raphael Gomez
United States Department of Justice
Civil Division, Room 6144
20 Massachusetts Ave. NW
Washington D.C. 20530

_____/S/_____
Melissa Cohen